

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*,¹

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

CERTIFICATION OF COUNSEL

I, Michael DeBaecke, an attorney with the law firm of Ashby & Geddes, P.A., proposed Delaware counsel for Robert J. Cleary, in his capacity as the Court-appointed Examiner (the “Examiner”), hereby certify the following:

1. The Debtors and the Official Committee of Unsecured Creditors appointed in these Chapter 11 Cases entered into a *Confidentiality Agreement and Stipulated Protective Order* (the “Confidentiality Agreement”) (Dkt. No. 825)² to facilitate and expedite the production, exchange, and treatment of Discovery Materials to be produced or otherwise disclosed in connection with discovery undertaken during these Chapter 11 Cases. Those parties requested Court approval of the Confidentiality Agreement.

2. The Court entered an order approving the Confidentiality Agreement. [Dkt. No. 832.]

3. On February 23, 2024, the Court entered an order directing the appointment of an examiner. [Dkt. No. 7909.]

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification numbers are 3288 and 4063, respectively. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>.

² Terms utilized but not otherwise defined herein shall have the same meanings ascribed to them in the Confidentiality Agreement.

4. On March 20, 2024, the Court approved the U.S. Trustee's appointment of Robert J. Cleary as the Examiner. [Dkt. No. 9882.]

5. The Debtors, the Committee, and the Examiner now have entered into the attached Addendum to the Confidentiality Agreement (the "Addendum").

6. A proposed form of order (the "Proposed Order") approving the Addendum is attached hereto as **Exhibit 1**. A copy of the Addendum is attached as **Exhibit A** thereto.

7. Pursuant to Local Rule 9018-1(h), on March 25, 2024, counsel for the Examiner submitted a draft of the Addendum for review by counsel for the United States Trustee (the "OUST"). Thereafter, OUST counsel advised the OUST had no comments and no objection to submission of the Addendum for Court approval.

8. In accordance with the Court's electronic order processing procedures, a copy of the Proposed Order will be uploaded to CM/ECF.

9. Accordingly, the Examiner respectfully requests entry of the Proposed Order at the Court's earliest convenience.

~Signature Page to Follow~

Dated: March 26, 2024

ASHBY & GEDDES, P.A.

/s/ Michael D. DeBaecke

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*Proposed Counsel for Robert J. Cleary, solely in
his capacity as Court-appointed Examiner of the
above-captioned Debtors*